

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 580 Department or Agency Alabama Department of Mental Health

Rule No. 580-9-44-.12

Rule Title: Operational Policies and Procedure Manual

New	Amend	X	Repeal	Adopt by Reference
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Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

NO

Is there another, less restrictive method of regulation available that could adequately protect the public?

NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?

NO

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Does the proposed rule have an economic impact?

NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Date

REC'D &amp; FILED

DEC 18 2019

(DATE FILED)  
(STAMP)



Alabama Department of Mental Health

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Mental Health

RULE NO. & TITLE: 580-9-44.12 Operational Policies and Procedures Manual

INTENDED ACTION: Repeal

SUBSTANCE OF PROPOSED ACTION: We have created Chapter 580-2-20-.06 to eventually combine the current rules for Mental Illness in Chapter 580-2-9 and Substance Abuse in Chapter 580-9-44.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments in writing to Debbie Popwell, Director, Office of Certification Administration, Alabama Department of Mental Health, 100 North Union Street, Suite 540, Montgomery, Alabama 36130 by mail or in person between the hours of 8:00AM and 5:00PM, Monday through Friday, or by electronic means to [Debbie.popwell@mh.alabama.gov](mailto:Debbie.popwell@mh.alabama.gov) until and including February 5, 2020. Persons wishing to submit data, views, or arguments orally should contact Ms. Popwell by telephone at (334) 353-2069 during this period to arrange for an appointment.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
February 5, 2020

CONTACT PERSON AT AGENCY:

Persons wishing a copy of the proposal may contact  
Debbie Popwell  
Department of Mental Health  
100 North Union Street, Suite 540  
Montgomery, Alabama 36130  
(334) 353-2069

A copy of the proposed change is available on the department's website at <http://mh.alabama.gov>. Click on Provider Portal and then Certification to find code with changes.



(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

580-9-44-.12 ~~Operational Policies And Procedures Manual.~~ The entity shall develop a written, indexed Policies and Procedures Manual which shall, minimally, contain each of the required written policies, procedures, practices, plans, and processes as specified by these rules.

(1) ~~All policies and procedures contained within the Policies and Procedures Manual shall be:~~

(a) ~~Approved by the organization's governing body.~~

(b) ~~Include input by the programs' staff, clients, their families, and client advocates, as appropriate.~~

(c) ~~Consistent with DMH Mental Illness and Substance Abuse Services Division standards relative to client rights.~~

2. ~~The Policies and Procedures Manual shall be:~~

(a) ~~Updated as needed, with modifications clearly specified and approved as according to written procedures established by the governing authority before they are instituted.~~

(b) ~~Reviewed and approved, at least, on an annual basis by the governing authority with this review process documented in writing.~~

(c) ~~Easily accessible to all program personnel, with a copy available at each service location.~~

(d) ~~Accessible for review by DMH upon request.~~

**Author:** ~~Substance Abuse Services Division~~

**Statutory Authority:** Code of Ala. 1975, §22-50-11.

**History:** **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed December 18, 2019